

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PATTIVA McKEAN,)
Plaintiff,)
v.) C. A. No. 06-526-***
NORFOLK SOUTHERN RAILWAY)
COMPANY, a Virginia corporation,)
Defendant.)

NOTICE OF RECORDS DEPOSITION

TO: Nicholas H. Rodriguez
Schmittinger and Rodriguez, P.A.
414 South State Street
P.O. Box 497
Dover, DE 19903-0497
nrodriguez@schmittrod.com

PLEASE TAKE NOTICE that the undersigned attorney will take the deposition of the following entity at the time and date listed opposite its name, at the offices of Potter Anderson & Corroon LLP, Hercules Plaza, 6th Floor, 1313 North Market Street, Wilmington, Delaware 19801:

Nationwide Insurance Company
c/o Insurance Commissioner
State of Delaware
841 Silver Lake Boulevard
Dover, DE 19901

July 2, 2007
11:00 a.m.

DUCES TECUM: Copies of any and all records relating to any claims made at any time, including, but not limited to, Claim No.: 5207212938511290441, by your Insured, Pattiva McKean (DOB: 11/8/72; SSN: 527-41-2050), including any and all medical records, claim forms, payment logs, correspondence, letters of denial, or any other related documents in your custody or control relating to this individual.

* Personal appearance is waived if the requested records are received on or before the date listed above.

You are invited to attend and cross-examine.

POTTER ANDERSON & CORROON LLP

By: /s/ David E. Moore
Daniel F. Wolcott, Jr. (#284)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
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Dated: May 31, 2007
798014 / 30577

Counsel for Defendant
Norfolk Southern Railway Company

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on May 31, 2007, the attached document was sent by U.S. Mail and Electronic Mail to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

Nicholas H. Rodriguez
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/s/ David E. Moore

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